

Appendix A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

MATHEW MARTOMA,

Defendant.

No. 12-cr-00973 (PGG)
ECF Case

PROPOSED JURY QUESTIONNAIRE

JUROR NAME: _____
JUROR NUMBER: _____

TO THE PROSPECTIVE JUROR:

The purpose of this questionnaire is to provide information to the judge, the prosecutors, the defense attorneys, and the Defendant to assist them in determining whether you can be a fair and impartial juror in this case. The questions are not asked to invade your privacy, but to help select the best possible jury for this case. You must give true and complete answers to every question. This questionnaire is to be filled out in INK.

All information contained in this questionnaire will be kept confidential. It will be reviewed only by the court and by the attorneys on each side.

Do not discuss the questions or answers with anyone, including your fellow prospective jurors. It is extremely important that your answers be your own answers and not influenced by those around you. During the jury selection process, it is critically important that you not read anything about the case, that you not discuss it with anyone, that you not let anyone talk to you about the case, and that you do not do any research about the case on the Internet or any place else. If you are selected for the jury, I will have more instructions for you later on this topic.

If you require additional space for your answers or wish to make further comments regarding any of your answers, please use the extra sheets that are attached to the back of your questionnaire.

Please fill out the entire questionnaire IN INK. Do not leave any questions blank. If a question does not apply to you in any way, write "N/A" rather than leaving the form blank.

Please enter your name and juror number on the front page of the questionnaire and at the top of each page. Please return the questionnaire to the Jury Clerk and you will be further instructed on the date you will return to Court.

INTRODUCTION

NATURE OF CASE:

This is a criminal case. The defendant, Mathew Martoma, is charged with conspiracy to commit insider trading and insider trading.

JUROR QUESTIONNAIRE
PLEASE MAKE CERTAIN THAT YOUR ANSWERS ARE LEGIBLE
GENERAL INFORMATION

Juror Number: _____

Juror Name: _____

Age: _____

Are you: ☐ Married | ☐ Separated | ☐ Divorced | ☐ Single | ☐ Widowed

In what city do you live? _____

How long have you lived in this city? _____

Do you own or rent your home? _____

What was your highest level of education?

- ☐ 8th grade or less
- ☐ Some High School
- ☐ High School Graduate
- ☐ Some College
- ☐ College Graduate (Bachelor's Degree)
- ☐ Some Graduate School
- ☐ Post-Graduate Degree

Please describe your educational background, including vocational school(s) and/or college(s) attended.

<u>School/College Attended</u>	<u>Major Field of Study</u>	<u>Degree Attained</u>
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What is your current job status?

- ☐ Working full-time
- ☐ Working part-time
- ☐ Retired
- ☐ Disabled
- ☐ Unemployed
- ☐ Homemaker
- ☐ Full-time student

What is your occupation? _____

Who is your employer? _____

- a. What is your present job position or title? _____
- b. Any previous position with the same employer? _____
- c. Do you supervise other people? ☐ Yes ☐ No
If yes, how many people? _____

- d. How long have you been with this employer? _____
 e. Duties and responsibilities of your present job: _____

Please list any other occupations/job positions you have had in the past ten years and describe your duties and responsibilities of each:

Have you ever served in the armed forces? ___ Yes ___ No

- a. Branch and highest rank? _____
 b. Dates: _____
 c. Duties: _____
 d. Have you sat on a Military Court Martial?
 ___ Yes ___ No

If yes, please explain:

If you have served before as a juror in a civil or criminal case, please describe your experience below:

Date	Civil/Criminal	Type of Case	Was there a verdict?
_____	_____	_____	Yes No
_____	_____	_____	Yes No
_____	_____	_____	Yes No
_____	_____	_____	Yes No

Were you ever the jury foreperson?

___ Yes ___ No

For your present spouse or partner, please list his or her current and former employers and occupations over the past ten years:

Do you have any children?

___ Yes ___ No

If yes, do any of them live at home with you?

___ Yes ___ No

If you have children, please state for each child:

Gender

Age

Occupation

What newspapers and magazines do you read on a regular basis?

Do you like to read books? ___ Yes ___ No

If yes, what types of books do you read?

What TV shows, newscasts, radio shows and internet websites do you enjoy on a regular basis?

Who is a historical figure you admire? _____

What civic, social, union, professional, fraternal, political or recreational organizations do you belong to or hobbies do you participate in? If you hold a particular title in these organizations, please indicate.

Have you, or has a spouse, relative or close friend, ever been associated with any federal, state or local law enforcement agency or other governmental office such as sheriffs, marshals, police (military or civilian), probation or parole officers, corrections officers, police reserve officers, security guards, Federal Bureau of Investigation (FBI), or federal or state prosecutors? Please explain.

Have you sought or do you plan to seek employment in any of the above fields?

☐ Yes ☐ No

If yes, which fields?

Are you, or is any close friend or relative, associated with any attorney?

☐ Yes ☐ No

If so, please state relationship and type of legal practice:

Have you, or has a close friend or relative, ever been involved in a legal case in any way as a party or witness? Please give details, including the year and location of the case, along with a brief summary.

Have you or anyone close to you ever been a victim of fraud or misrepresentation?

☐ Yes ☐ No

If Yes, please explain:

Have you, or has a spouse, significant other, family member, or close friend, ever been accused, arrested, indicted, charged, or convicted of a criminal offense (please do not include infractions or traffic offenses)?

☐ Yes ☐ No

If yes, please explain:

Have you or anyone close to you ever been involved in any way with hedge funds?

☐ Yes ☐ No

If Yes, please explain:

Have you or anyone close to you ever been involved in any way with mutual funds?

☐ Yes ☐ No

If Yes, please explain:

Have you or anyone close to you ever been involved in any way with securities brokers or dealers (e.g., stockbrokers)?

☐ Yes ☐ No

If Yes, please explain:

Do you have strong positive or negative views about any of the following individuals.

Wall Street Executives?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Pharmaceutical Company Executives	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defense Counsel?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

If Yes, what are your views?

Is there anything that you have seen, read, or heard, with regard to the recent economic crisis or have you personally experienced any financial harm or pain that would affect your consideration of this case in any way?

☐ Yes ☐ No

Hedge Funds have been reported in the news over the past few years. Do you have any feelings concerning this industry?

☐ Yes ☐ No

If Yes, please describe your feelings:

Do you consider yourself to be knowledgeable or familiar with Hedge Funds?

☐ Yes ☐ No

If Yes, please explain what you know of them and how you are familiar with them.

Do you consider yourself to be knowledgeable or familiar with Mutual Funds?

☐ Yes ☐ No

If Yes, please explain what you know of them and how you are familiar with them.

Do you consider yourself to be knowledgeable or familiar with the stock market?

☐ Yes ☐ No

If Yes, please explain what you know of the stock market and how you are familiar with it.

Have you ever invested in a Hedge Fund(s)?

☐ Yes ☐ No

If Yes, what was the name of the Hedge Fund(s):

If Yes, were you satisfied with your investment?

☐ Yes ☐ No

Please explain.

Have you ever invested in a Mutual Fund(s)?

☐ Yes ☐ No

If Yes, what was the name of the Mutual Fund(s):

If Yes, were you satisfied with your investment?

☐ Yes ☐ No

Please explain.

Have you ever invested with a securities broker /dealer (e.g., stockbroker)?

☐ Yes ☐ No

If Yes, what was the name of the securities broker or dealer firm?

If Yes, were you satisfied with your investment?

☐ Yes ☐ No

Please explain.

How honest do you think Wall Street Executives are?

1
Not at all

2
Somewhat

3
Extremely

Please explain your answer.

Do you have any feelings about Wall Street or Wall Street Executives?

☐ Yes ☐ No

Do you feel that a Wall Street Executive, if accused of wrongdoing, is probably guilty?

☐ Yes ☐ No

Do today's Wall Street Executives lack integrity?

☐ Yes ☐ No

Are today's Wall Street Executives greedy?

☐ Yes ☐ No

Do you feel that a Wall Street Executive, if is accused of insider trading, is probably guilty?

☐ Yes ☐ No

If you answered Yes to any of the questions above, please describe your feelings:

If you were a party to this case—either Mathew Martoma or the United States Government—is there any reason you would not want yourself to be a juror?

☐ Yes ☐ No

If Yes, please explain your answer:

Do you know or have you ever met any of the following people? Please circle either "No" or "Yes" next to each person.

[Insert names of attorneys and witnesses]

If so, please describe how you know them and/or where you met them:

Have you, anyone close to you or any member of your family ever had any dealings of any sort with Mathew Martoma or a hedge fund called SAC Capital?

☐ Yes ☐ No

If Yes, please explain what your dealings entailed:

Have you heard, read or seen anything from any source about Mathew Martoma or a case involving insider trading at SAC?

☐ Yes ☐ No

If Yes, please explain:

Have you heard, read, or seen anything about the government's investigation of Steve Cohen or SAC Capital?

☐ Yes ☐ No

If Yes, please explain:

If yes, please note the source of that information:

- ☐ Local Newspapers
- ☐ Magazines or other periodicals
- ☐ TV/Radio
- ☐ Friends
- ☐ The Internet
- ☐ Other

Are you familiar with the facts or circumstances of any other criminal, civil or administrative case involving insider trading?

☐ Yes ☐ No

If Yes, please explain:

Does the fact that the charges involve the securities industry or allegations of insider trading make it difficult for you to render a fair verdict?

☐ Yes ☐ No

If Yes, please explain:

Have you read any recent articles about insider trading investigations or prosecutions?

☐ Yes ☐ No

If Yes, please explain:

Do you have any specific language, health, hearing, vision or other physical problems that might make it difficult for you to sit as a juror in this case?

☐ Yes ☐ No

If so, please explain your problem?

As part of your service on this case, the Court will order you not to read, listen or to watch any accounts of this case reported by television, radio or other news media, or search the Internet for information about the subject matter of this trial. Will you have any difficulty following this order?

☐ Yes ☐ No

If you are selected as a trial juror in this case, the Court will order you not to discuss this case with ANYONE unless and until permitted to do so by the Court. Will you have any difficulty following this order?

☐ Yes ☐ No

If selected as a juror in this case, the Court will instruct you as follows:

This is a criminal case brought by the United States government. The government charges the defendant with conspiracy and insider trading. The charges against the defendant are contained in an indictment. An indictment is simply the description of the charges made by the government against the defendant; it is not evidence of anything.

The defendant has pleaded not guilty to the charges and is presumed innocent unless and until proved guilty beyond a reasonable doubt. A defendant has the right to remain silent and never has to prove innocence or present any evidence.

Are you willing to follow the above instruction?

☐ Yes ☐ No

Please list any other information you think would be important for the Court and/or the attorneys for the parties to know. If you did not understand a particular question(s), please list those question(s) below.

I DECLARE UNDER PENALTY OF PERJURY THAT ALL OF MY ANSWERS TO THE QUESTIONS CONTAINED ON THIS QUESTIONNAIRE ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature: _____

Name (PLEASE PRINT): _____

Date: _____